

SUMMARY STATEMENT

Hoke v. Neyada, Inc., Docket No. 43343

In a case arising out of Canyon County, the Idaho Supreme Court vacated a district court's holding that the actions of NeYada, Inc. ("NeYada") did not qualify as part performance of its contract with Ms. Hoke ("Hoke"). The Idaho Supreme Court held that NeYada's actions—namely opening an escrow account, receiving actual possession of certain property, and managing that property—qualified as part performance. The Idaho Supreme Court also vacated the district court's award of attorney's fees to Hoke because Hoke could no longer be considered the prevailing party. The case was remanded to the district court for further proceedings.